

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: 2:24-CV-07765-AB-AS

Date: October 28, 2024

Title Anna Phillips v. Walmart, Inc. et al.

Present: The Honorable **ANDRÉ BIROTTÉ JR., United States District Judge**

Daniel Tamayo

N/A

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Appearing

Attorney(s) Present for Defendant(s):

None Appearing

Proceedings: **[In Chambers] Order To Show Cause Regarding Dismissal for Lack of Prosecution**

The Court set a Scheduling Conference for November 8, 2024. *See* Dkt. 10 (“Order”). The Order requires the parties to file a Joint Rule 26(f) Report 14 days before the scheduling conference. *See* Order § I. As of the date of this order, no report has been filed, nor have the parties filed anything indicating why no report has been filed. The Scheduling Conference is therefore **VACATED**.

Although all parties—and the Court—are responsible for the timely progress of a case, a plaintiff, as the party who filed an action, bears the primary responsibility for ensuring compliance with deadlines that apply to them. The Court therefore **ORDERS** Plaintiff to show cause why this case should not be dismissed for lack of prosecution given the parties’ failure to file a Joint Rule 26(f) Report. An appropriate response may be a Notice of Settlement, or a declaration explaining why the Joint Rule 26(f) Report was not filed along with a Stipulation of the parties and a Proposed Order to reset the Scheduling Conference. The Court informs the parties that it usually enters scheduling orders based on the Joint Rule 26(f) Report without conducting a conference with

counsel.

Plaintiff's Response must be filed by November 15, 2024. If no response is filed by that date, the case will be dismissed without further notice.

IT IS SO ORDERED.